

a consultation from that specialty, such as that department at KUMC, to see what recommendations that would yield.

It appears Judge Foerschler reserved his rulings regarding claimant's request for benefits until the consultation was performed and a report provided. Accordingly, the Board concludes Judge Foerschler took claimant's request for benefits under advisement to allow time for receipt of the physical rehabilitation consultation report. Because of the above conclusion, the remaining issues are rendered moot and need not be addressed.

In the event further proceedings are held after the consultation report is provided, the parties should note that, although mentioned by both parties, Dr. Holladay's purported letter dated April 16, 2001, was not included in claimant's exhibits to the preliminary hearing.

AWARD

WHEREFORE, the Board dismisses claimant's appeal, leaving the June 20, 2001, Order entered by Judge Foerschler in full force and effect.

IT IS SO ORDERED.

Dated this _____ day of September 2001.

BOARD MEMBER

c: Dennis L. Horner, Attorney for Claimant
Eric T. Lanham, Attorney for Respondent
Robert H. Foerschler, Administrative Law Judge
Philip S. Harness, Workers Compensation Director